IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No. 2856 of 2007

Shankar Ankush Kawade & Anr ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Ujwal Agandsurve, Advocate for the applicant.

Mr Rajesh More, APP for the State.

CORAM: V. C. DAGA,J.
DATED: 20TH Sept, 2007.

P.C.:-

1. Heard learned counsel for the applicants and learned APP for the State.

2. Perused application and the material available on record.

3. The applicants are seeking bail under Section 438 of the Cr.P.C. in C.R. No. 64 of 2007 registered with Karmala Police Station, for the offence punishable under Sections 147, 148, 452, 326, 323, read with Section 149 of the I.P.C.

4. The learned counsel for the applicants submits that ten accused persons have already been enlarged on bail under Section 439 of the

Cr.P.C.,whereas, the present applicants are seeking bail under Section 438 of the Cr.P.C.contending that they are falsely implicated.

5. Having seen the active role played by the present applicants in the commission of offence in the light of injuries suffered by the injured complainant and having seen the Medico Legal Certificate placed on record, in my considered view, sufficient material is available on record to connect the present applicants with the offence alleged against them. This is not a case for grant of bail.

6. In the result, the application is rejected.

(V.C. DAGA,J.)